

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ANTHONY CAGLE,

Plaintiff,

Case No. 10-13450

v.

Hon. John Corbett O'Meara

JEFFREY WEBER, *et al.*,

Defendants.

_____ /

ORDER OF PARTIAL DISMISSAL

On August 28, 2010, Plaintiff filed a complaint setting forth the following causes of action: Count I, violation of 42 U.S.C. § 1983; Count II, conspiracy under state law; Count III, trespass; Count IV, fraud; Count V, abuse of process; Count VI, intentional infliction of emotional distress; Count VII, intrusion; Count VIII, conversion; and Count IX, extortion. Diversity jurisdiction is not alleged.

Although alleged civil rights violations brought pursuant to 42 U.S.C. § 1983 are cognizable in this court pursuant to 28 U.S.C. § 1331, the remaining allegations present claims based on state law. This court declines to exercise supplemental jurisdiction over the state law claims. See 28 U.S.C. § 1367(c); United Mine Workers v. Gibbs, 383 U.S. 715 (1966); Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994).

Accordingly, IT IS HEREBY ORDERED that Counts II-IX of the complaint are DISMISSED.

s/John Corbett O'Meara
United States District Judge

Date: October 1, 2010

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, October 1, 2010, using the ECF system and/or ordinary mail.

s/William Barkholz

Case Manager